

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

nClosures Inc.)
Plaintiff) Case No. 1:12-cv-09358
vs.) Judge Samuel Der-Yeghiayan
Block and Company, Inc. d/b/a MMF) Magistrate Judge Jeffrey T. Gilbert
POS and MMF Industries)
Defendant)

NOTICE OF APPEAL

Notice is hereby given that Defendant Block and Company, Inc. d/b/a MMF POS and MMF Industries appeals to the United States Court of Appeals for the Seventh Circuit from this Court's Order entered on January 10, 2013 and corresponding Memorandum Opinion entered on January 15, 2013, granting Plaintiff's Motion for Preliminary Injunction.

Date: February 8, 2013

Respectfully Submitted,

/s/ Louis J. Alex
Louis J. Alex (IL Reg. No. 6274458)
John L. Alex (IL Reg. No. 0027189)
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Attorney for Defendant Block and Company, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on February 8, 2013, a copy of the foregoing **NOTICE OF APPEAL** was filed electronically and served by mail on anyone unable to accept electronic filing or service. Notice of this filing will be sent by email to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Louis J. Alex

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Attorney for Defendant Block and Company, Inc.

United States District Court
Northern District of Illinois - CM/ECF LIVE, Ver 5.1.1 (Chicago)
CIVIL DOCKET FOR CASE #: 1:12-cv-09358

nClosures Inc. v. Block and Company Inc.
Assigned to: Honorable Samuel Der-Yeghiayan
Cause: 28:1332 Diversity-Fraud

Date Filed: 11/21/2012
Jury Demand: None
Nature of Suit: 370 Personal Prop.: Fraud
or Truth-In-Lending
Jurisdiction: Diversity

Plaintiff

nClosures Inc.

represented by **Matthew Michael Wawrzyn**
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V.

Defendant

Block and Company Inc.
doing business as
MMF POS

represented by **James Edward Abbott**
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303 West Madison Street

doing business as
MMF Industries

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Chicago, IL 60606-3300
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TERMINATED: 01/16/2013
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Date Filed	#	Docket Text
11/21/2012	1	COMPLAINT filed by nClosures Inc.; Filing fee \$ 350, receipt number 0752-7781854. (Attachments: # 1 Exhibit A)(Wawrzyn, Matthew) (Entered: 11/21/2012)
11/21/2012	2	CIVIL Cover Sheet (Wawrzyn, Matthew) (Entered: 11/21/2012)
11/21/2012	3	ATTORNEY Appearance for Plaintiff nClosures Inc. by Matthew Michael Wawrzyn (Wawrzyn, Matthew) (Entered: 11/21/2012)
11/21/2012		CASE ASSIGNED to the Honorable Samuel Der-Yeghiayan. Designated as Magistrate Judge the Honorable Jeffrey T. Gilbert. (cft,) (Entered: 11/21/2012)
11/23/2012		SUMMONS Issued as to Defendant Block and Company Inc. (cft,) (Entered: 11/26/2012)
11/26/2012	4	NOTIFICATION of Affiliates pursuant to Local Rule 3.2 by nClosures Inc. (Wawrzyn, Matthew) (Entered: 11/26/2012)
12/03/2012	5	MOTION by Plaintiff nClosures Inc. for preliminary injunction (Wawrzyn, Matthew) (Entered: 12/03/2012)
12/03/2012	6	NOTICE of Motion by Matthew Michael Wawrzyn for presentment of motion for preliminary injunction 5 before Honorable Samuel Der-Yeghiayan on 12/11/2012 at 09:00 AM. (Wawrzyn, Matthew) (Entered: 12/03/2012)

12/03/2012	7	MEMORANDUM by nClosures Inc. in support of motion for preliminary injunction 5 (Attachments: # 1 Exhibit ADeclaration of Daniel McKean)(Wawrzyn, Matthew) (Entered: 12/03/2012)
12/06/2012	8	MOTION by Plaintiff nClosures Inc. for order <i>to conduct limited expedited discovery</i> (Wawrzyn, Matthew) (Entered: 12/06/2012)
12/06/2012	9	NOTICE of Motion by Matthew Michael Wawrzyn for presentment of motion for order 8 before Honorable Samuel Der-Yeghiayan on 12/11/2012 at 09:00 AM. (Wawrzyn, Matthew) (Entered: 12/06/2012)
12/11/2012	10	MINUTE entry before Honorable Samuel Der-Yeghiayan: Motion hearing held. Plaintiff's motion for preliminary injunction 5 is entered and continued. Defendant to file its response by 01/04/13. Plaintiff's motion for order to conduct limited expedited discovery 8 is stricken without prejudice. As stated on the record, Defendant given leave until 12/13/12 to serve limited interrogatories. By 12/17/12, Plaintiff to respond to the limited interrogatories and produce documents. Plaintiff has agreed to produce individuals for depositions from 12/19/12 through 12/21/12. Status hearing set for 01/09/13 at 9:00 a.m. Mailed notice (mw,) (Entered: 12/11/2012)
12/12/2012	11	ATTORNEY Appearance for Defendant Block and Company Inc. by Louis J Alex (Alex, Louis) (Entered: 12/12/2012)
12/12/2012	12	ATTORNEY Appearance for Defendant Block and Company Inc. by John Louis Alex (Alex, John) (Entered: 12/12/2012)
12/12/2012	13	ATTORNEY Appearance for Defendant Block and Company Inc. by James Edward Abbott (Abbott, James) (Entered: 12/12/2012)
12/18/2012	14	ANSWER to Complaint by Block and Company Inc.(Alex, Louis) (Entered: 12/18/2012)
01/03/2013	15	MOTION by Defendant Block and Company Inc. for extension of time to file <i>Opposition Brief</i> , MOTION by Defendant Block and Company Inc. for leave to file excess pages (Alex, Louis) (Entered: 01/03/2013)
01/03/2013	16	NOTICE of Motion by Louis J Alex for presentment of before Honorable Samuel Der-Yeghiayan on 1/8/2013 at 09:00 AM. (Alex, Louis) (Entered: 01/03/2013)
01/04/2013	17	OBJECTIONS by nClosures Inc. to MOTION by Defendant Block and Company Inc. for extension of time to file <i>Opposition Brief</i> MOTION by Defendant Block and Company Inc. for leave to file excess pages 15 and <i>UNOPPOSED MOTION for Leave to File Reply Brief</i> (Wawrzyn, Matthew) (Entered: 01/04/2013)
01/07/2013	18	ATTORNEY Appearance for Plaintiff nClosures Inc. by Martin D. Snyder (Snyder, Martin) (Entered: 01/07/2013)
01/07/2013	19	MOTION by Defendant Block and Company Inc. for leave to file (Alex, Louis) (Entered: 01/07/2013)
01/07/2013	20	NOTICE of Motion by Louis J Alex for presentment of motion for leave to file 19 before Honorable Samuel Der-Yeghiayan on 1/10/2013 at 09:00 AM. (Alex, Louis) (Entered: 01/07/2013)
01/08/2013	21	MINUTE entry before Honorable Samuel Der-Yeghiayan: Motion hearing held. As stated on the record, Defendant's motion for extension of time to file brief in opposition

		to motion for preliminary injunction and for leave to file brief in opposition in excess of pages 15 is granted. Defendant's motion for leave to file brief in opposition and supporting materials under seal 19 is granted. Plaintiff to file its reply brief by 12:00 p.m. on 01/10/13. Status hearing reset to 01/16/13 at 9:00 a.m. Status hearing set for 01/09/13 is stricken. Mailed notice (mw,) (Entered: 01/08/2013)
01/08/2013	22	<i>FIRST AMENDED</i> complaint by nClosures Inc. against Block and Company Inc. (Attachments: # 1 Exhibit A)(Wawrzyn, Matthew) (Entered: 01/08/2013)
01/08/2013	23	SEALED RESPONSE by Block and Company Inc. to memorandum in support of motion 7 , MOTION by Plaintiff nClosures Inc. for preliminary injunction 5 (Attachments: # 1 Exhibits 1 - 9, # 2 Exhibit 10, # 3 unpublished decisions)(Alex, Louis) (Entered: 01/08/2013)
01/10/2013	24	SEALED REPLY by nClosures Inc. to sealed response, 23 (Attachments: # 1 Declaration Daniel Gorman)(Wawrzyn, Matthew) (Entered: 01/10/2013)
01/10/2013	25	SEALED EXHIBIT by Plaintiff nClosures Inc. <i>Declaration of Matthew M. Wawrzyn</i> regarding reply 24 (Wawrzyn, Matthew) (Entered: 01/10/2013)
01/10/2013	26	MINUTE entry before Honorable Samuel Der-Yeghiayan: For the reasons stated below, Plaintiff's motion for preliminary injunction 5 is granted. The court finds that a bond is not warranted at this time. However, the court will revisit the bond issue, if appropriate. This preliminary injunction is effective immediately. A more detailed memorandum opinion will follow. Mailed notice (mw,) (Entered: 01/10/2013)
01/11/2013	27	MOTION by counsel for Defendant Block and Company Inc. to withdraw as attorney (Abbott, James) (Entered: 01/11/2013)
01/11/2013	28	NOTICE of Motion by James Edward Abbott for presentment of motion to withdraw as attorney 27 before Honorable Samuel Der-Yeghiayan on 1/16/2013 at 09:00 AM. (Abbott, James) (Entered: 01/11/2013)
01/15/2013	29	MEMORANDUM Opinion Signed by the Honorable Samuel Der-Yeghiayan on 1/15/2013: Mailed notice (mw,) (Entered: 01/15/2013)
01/15/2013	30	MOTION by Plaintiff nClosures Inc. for order <i>to Conduct Limited Discovery</i> (Attachments: # 1 Declaration Matthew M. Wawrzyn, # 2 Exhibit 1, # 3 Exhibit 2)(Wawrzyn, Matthew) (Entered: 01/15/2013)
01/15/2013	31	NOTICE of Motion by Matthew Michael Wawrzyn for presentment of motion for order 30 before Honorable Samuel Der-Yeghiayan on 1/22/2013 at 09:00 AM. (Wawrzyn, Matthew) (Entered: 01/15/2013)
01/16/2013	32	TRANSCRIPT OF PROCEEDINGS held on December 11, 2012, before the Honorable Samuel Der-Yeghiayan. Court Reporter Contact Information: Laura LaCien, 312-408-5032, laura_lacien@ilnd.uscourts.gov . IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.

		Redaction Request due 2/6/2013. Redacted Transcript Deadline set for 2/18/2013. Release of Transcript Restriction set for 4/16/2013. (Lacien, Laura) (Entered: 01/16/2013)
01/16/2013	33	MINUTE entry before Honorable Samuel Der-Yeghiayan: Status hearing held and continued to 01/23/13 at 9:00 a.m. As stated on the record, Plaintiff's motion for order to conduct limited discovery 30 is denied. James Abbott's motion to withdraw as counsel for Defendant 27 is granted. Mailed notice. (mr,) (Entered: 01/17/2013)
01/22/2013	34	STATUS Report <i>Joint Initial Status Report</i> by Block and Company Inc., nClosures Inc. (Wawrzyn, Matthew) (Entered: 01/22/2013)
01/22/2013	35	STATUS Report <i>Joint Jurisdictional Status Report</i> by Block and Company Inc., nClosures Inc. (Attachments: # 1 Declaration Matthew M. Wawrzyn, # 2 Declaration Louis J. Alex)(Wawrzyn, Matthew) (Entered: 01/22/2013)
01/22/2013	36	ANSWER to amended complaint by Block and Company Inc.(Alex, Louis) (Entered: 01/22/2013)
01/23/2013	37	MINUTE entry before Honorable Samuel Der-Yeghiayan: Status hearing held and continued to 08/29/13 at 9:00 a.m. All fact discovery to be completed by 05/31/13. All expert discovery shall be noticed in time to be completed by 06/28/13. Dispositive motions are to be filed by 07/12/13. Responses to the dispositive motions, if any, are to be filed by 07/26/13 and replies, if any, are to be filed by 08/09/13.Mailed notice (mw,) (Entered: 01/23/2013)
01/29/2013	38	MOTION by Plaintiff nClosures Inc. for rule to show cause <i>why Block should not be held in contempt</i> (Wawrzyn, Matthew) (Entered: 01/29/2013)
01/29/2013	39	NOTICE of Motion by Matthew Michael Wawrzyn for presentment of motion for rule to show cause 38 before Honorable Samuel Der-Yeghiayan on 2/5/2013 at 09:00 AM. (Wawrzyn, Matthew) (Entered: 01/29/2013)
01/29/2013	40	MEMORANDUM by nClosures Inc. in support of motion for rule to show cause 38 (Attachments: # 1 Declaration Matthew M. Wawrzyn, # 2 Declaration Daniel Gorman)(Wawrzyn, Matthew) (Entered: 01/29/2013)
02/04/2013	41	ATTORNEY Appearance for Plaintiff nClosures Inc. by Stephen Charles Jarvis (Jarvis, Stephen) (Entered: 02/04/2013)
02/05/2013	42	MINUTE entry before Honorable Samuel Der-Yeghiayan: Motion hearing held and continued to 02/26/13 at 9:00 a.m. Plaintiff's motion for rule to show cause 38 is entered and continued. Defendant's response shall be filed by 02/15/13 and Plaintiff's reply shall be filed by 02/20/13. Mailed notice (mw,) (Entered: 02/05/2013)
02/08/2013	43	SEALED MOTION by Defendant Block and Company Inc. (Alex, Louis) (Entered: 02/08/2013)
02/08/2013	44	SEALED MOTION by Defendant Block and Company Inc. <i>MOTION FOR RECONSIDERATION OF JANUARY 10, 2013 ORDER AND JANUARY 15, 2013 MEMORANDUM OPINION</i> (Attachments: # 1 EXHIBITS)(Alex, Louis) (Entered: 02/08/2013)
02/08/2013	45	NOTICE of Motion by Louis J Alex for presentment of Sealed motion 44 before Honorable Samuel Der-Yeghiayan on 2/13/2013 at 09:00 AM. (Alex, Louis) (Entered: 02/08/2013)

02/08/2013	46	MOTION by Plaintiff nClosures Inc. to strike SEALED MOTION by Defendant Block and Company Inc. <i>MOTION FOR RECONSIDERATION OF JANUARY 10, 2013 ORDER AND JANUARY 15, 2013 MEMORANDUM OPINION</i> 44 (Jarvis, Stephen) (Entered: 02/08/2013)
02/08/2013	47	NOTICE of Motion by Stephen Charles Jarvis for presentment of motion to strike, motion for relief 46 before Honorable Samuel Der-Yeghiayan on 2/13/2013 at 09:00 AM. (Jarvis, Stephen) (Entered: 02/08/2013)

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